

health, injury control, and motor carrier organizations;

(b) Have authority to review any of the State's highway safety data and traffic records systems and to review any changes to such systems before the changes are implemented;

(c) Provide a forum for the discussion of highway safety data and traffic records issues and report on any such issues to the organizations in the State that create, maintain, and use highway safety data and traffic records;

(d) Consider the views of the organizations in the State that are involved in the administration, collection and use of the highway safety data and traffic records system; coordinate these views among the organizations; and represent the interests of the organizations within the traffic records system to outside organizations;

(e) Review and evaluate new technologies to keep the highway safety data and traffic records systems up-to-date; and

(f) Develop, implement, and administer the strategic plan specified in § 1335.6 of this part.

#### § 1335.5 Assessment.

An assessment shall—

(a) Be an in-depth, formal review of a State's highway safety data and traffic records system that considers the criteria contained in the model data elements;

(b) Generate an impartial report of the status of the highway safety data and traffic records system in the State; and

(c) Be conducted by an organization or group that is knowledgeable about highway safety data and traffic records systems, but independent from the organizations involved in the administration, collection and use of the highway safety data and traffic records systems in the State.

#### § 1335.6 Strategic plan.

A strategic plan shall—

(a) Be a multi-year plan that identifies and prioritizes the highway safety data and traffic records needs and goals based upon an assessment;

(b) Identify performance-based measures by which progress toward those goals will be determined; and

(c) Be submitted to the coordinating committee for approval.

#### § 1335.7 Grant requirements.

(a) *Start-up grant.* To receive a start-up grant in a fiscal year under this part, a State shall submit an application that complies with § 1335.12, and must have—

(1) Not met the requirements of paragraph (b) or (c) of this section; and

(2) Not received any grant under this Part in a previous fiscal year.

(b) *Initiation grant.* To qualify for an initiation grant in a fiscal year under this part, a State shall submit an application that complies with § 1335.12, and must have—

(1) Established a coordinating committee;

(2) Completed or updated an assessment within the five years preceding the date of its application;

(3) Initiated the development of a strategic plan; and

(4) Not received an initiation or an implementation grant under this part in a previous fiscal year.

(c) *Implementation grant.* To qualify for an implementation grant in a fiscal year under this part, a State shall submit an application that complies with § 1335.12, and must have—

(1) Established a coordinating committee;

(2) Completed or updated an assessment within the five years preceding the date of its application; and

(3) Developed a strategic plan.

#### § 1335.8 Grant amounts.

(a) *Start-up grant.* A State that qualifies for a start-up grant under § 1335.7(a) of this part shall be eligible to receive \$25,000.

(b) *Initiation grant.* A State that qualifies for an initiation grant under § 1335.7(b) of this part shall be eligible to receive \$125,000.

(c) *Implementation grant.* A State that qualifies for an implementation grant under § 1335.7(c) of this part shall be eligible to receive an amount determined by multiplying the amount appropriated to carry out 23 U.S.C. 411 by the ratio that the funds apportioned to the State under 23 U.S.C. 402 for fiscal year 1997 bears to the funds apportioned to

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all States under 23 U.S.C. 402 for fiscal year 1997, except that—

(1) If the State has not received an initiation or an implementation grant under this part in a previous fiscal year, the State shall receive no less than \$250,000; and

(2) If the State has received an initiation or an implementation grant under this part in a previous fiscal year, the State shall receive no less than \$225,000.

### § 1335.9 Availability of funds.

(a) The release of grant funds under this part in a fiscal year shall be subject to the availability of funds for that fiscal year. If there are expected to be insufficient funds to award the grant amounts specified in §1335.8 to all eligible States in any fiscal year, NHTSA may release less than these grant amounts upon approval of the State's application and plan, up to the State's proportionate share of available funds. Project approval and the contractual obligation of the Federal government to provide grant funds shall be limited to the amount of funds released.

(b) If any amounts authorized for grants under this part for a fiscal year are expected to remain unobligated in that fiscal year, the Administrator may transfer such amounts to the programs authorized under 23 U.S.C. 405 and 23 U.S.C. 410, to ensure to the extent possible that each State receives the maximum incentive funding for which it is eligible.

(c) If any amounts authorized for grants under 23 U.S.C. 405 and 23 U.S.C. 410 are transferred to the grant program under this part in a fiscal year, the Administrator shall distribute the transferred amounts so that each eligible State receives a proportionate share of these amounts, subject to the conditions specified in § 1335.8 and paragraph (a) of this section.

### § 1335.10 Grant limitations.

(a) No State may receive a grant under this part in more than six fiscal years.

(b) Grants may be used by States only to adopt and implement effective highway safety data and traffic records programs:

(1) To improve the timeliness, accuracy, completeness, uniformity, and accessibility of the data of the State that is needed to identify priorities for national, State and local highway and traffic safety programs;

(2) To evaluate the effectiveness of efforts to make such improvements;

(3) To link these State data systems, including traffic records, with other data systems within the State, such as systems that contain medical and economic data; and

(4) To improve the compatibility of the data system of the State with national data systems and data systems of other States and to enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances.

(c) In the first and second Federal fiscal years a State receives a grant under this part, the Federal share of the costs of adopting and implementing an effective highway safety data and traffic records program shall not exceed 75 percent.

(d) In the third and fourth Federal fiscal year in which a State receives a grant under this part, the Federal share of the costs of adopting and implementing an effective highway safety data and traffic records program shall not exceed 50 percent.

(e) In the fifth and sixth Federal fiscal years a State receives a grant under this part, the Federal share of the costs of adopting and implementing an effective highway safety data and traffic records program shall not exceed 25 percent.

### § 1335.11 Application procedures.

(a) A State applying for a grant under this part shall submit an original and two copies of its application to the NHTSA Regional Administrator for the Region in which the State is located.

(b) To be considered for a grant in any fiscal year, an application must be received by the agency not later than January 15 of that fiscal year.

(c) Within 30 days of being informed by NHTSA that it is eligible for a grant, a State shall submit to the agency a Program Cost Summary (HS Form 217) obligating the funds under